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Atari Online News, Etc.  
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~ New Eureka Release!      ~ People Are Talking!      ~ Pirates: Pay Up!  
~ Kazaa Case May Go On!    ~ Copyright Trial Ready!    ~ MESS Updates!  
~ Web Tracking Tools!      ~ 2002 Stunk For IT!      ~ Inside Atari DOS!  
~ Cyber Security Bill!      ~ Child Porn Laws Fail!    ~ New E-mail Worm!

~\* Student's Rights Violated! \*-  
~\* Software Counterfeiter Gets Prison! \*-  
~\* Massachusetts Appeals Microsoft Decision! \*-

==~==~==

->From the Editor's Keyboard  
"~~~~~"

"Saying it like it is!"

<groan> Let the feasting begin, or continue, as it may! The Thanksgiving dinner is over, but the leftovers are plentiful. And my belly is full to the point of explosion! And it's great! I hope you all had an enjoyable holiday yesterday - at least those of you who celebrate.

Now is the time when people take, and act out because of them (as Joe has so eloquently stated in the past - their stupid pills. The Christmas shopping season has officially started. As I mentioned last week, I've already begun my holiday shopping (Happy Hanukkah everybody!!). Since I had today off, and the holiday ads were bountiful, I decided to hit a few stores today looking for some bargains. Yep, the stupid people were out there! In OfficeMax, I walked in just in front of this one woman. As we both cleared the door, the woman rushed past me to get a lone shopping cart, jostling me in doing so. I wasn't looking to get a cart, so I wasn't bothered by this. However, after about 15 minutes of looking for this one particular advertised item (and learning that this store didn't carry the item - stupidity deluxe! - I was leaving the store. I was passing by the checkout areas, and lo and behold was the woman who had to rush past me to get the last shopping cart. You wouldn't believe what she had in her cart! One, yes, I said ONE package of PostIt notes paper! Not the package that contains a million pads, but a package of four or six 3 by 3-inch pads. It probably took more exertion to push that cart than it did to carry that package! I gave her one of my "you really are a stupid (and obnoxious) person" looks as I walked by her. After going to another store and learning that they didn't carry the advertised sale item that I was looking to buy, I went home. I can tell this is going to be one of those holiday seasons that will be full of stupidity!

How about this nice Thanksgiving weather!? Cold and snow. Six inches (reportedly) around here. Thankfully, it was the light, fluffy stuff. It didn't even warrant getting the snowthrower out. But I was tempted! I guess that's it for getting the leaves cleaned up for this year. I hope the trash guys pick up the thirty or so bags of leaves I have out at the curb!

Well, it's going to be a short editorial, issue, and week. I have to get some rest as I'm heading out early in the morning to see my father. It should be fun. Just for the day since we're leaving the dogs behind. More than that and who knows what the house will look like!

Until next time...

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## December Release of Eureka

Hi,

My software "Eureka" is updated and released on its WEB site.  
It is a "2D Graph Describer" and a "3D Modeller". It is updated  
nearly every month, if I found significant improvements for it.  
You will have to fetch it at :

<http://eureka.atari.org/eurka212.zip>  
That is the Complete Common Edition

<http://eureka.atari.org/eurkafpu.zip>  
Is the Limited FPU Edition

<http://eureka.atari.org/eurka020.zip>  
Is the Complete 68020 Edition

<http://eureka.atari.org/eurklite.zip>  
Is the Lite Edition, working on early ST with 720kb floppy

[http://eureka.atari.org/lib\\_dgem.zip](http://eureka.atari.org/lib_dgem.zip)  
Are Dynamic Libraries Extensions for Eureka

<http://eureka.atari.org/tiny043.zip>  
Is the OpenGL Extension (requires previous package)

This month, the release number is the same as the version  
number (2.12 that is always the same). I expect that everybody  
will have understood ...

I wish you big fun with all this STuff !

Regards,

-- Francois LE COAT  
Author of Eureka 2.12  
<http://eureka.atari.org>  
[lecoat@atari.org](mailto:lecoat@atari.org)

## Mac and Windows MESS Updates

The Macintosh version of MESS (Multi Emulator Super System) has been  
updated to version 0.61, and the Windows version to version 0.61.2. The  
MESS emulator supports a wide variety of game systems and computers,  
including the Atari 5200, 7800 and 8-bit computers. To download the  
latest Windows and Mac versions of MESS, please visit the MESS Homepage.

<http://www.mess.org/>

### Inside Atari DOS on the Web

The full text of the classic book Inside Atari DOS is now online at AtariArchives.org. The book was written by Bill Wilkinson, founder of Optimized Systems Software, a company that created many great programming tools for the Atari 8-bit computers. Due to copyright restrictions, the site includes the full text of the book, but does not include the actual DOS 2.0S source code as in the physical book.

<http://www.atariarchives.org/iad/>

### Portfolio Easter Egg

Egg Name: Programmer Credits  
Works On: Atari OS Portfolio  
Manufacturer: Atari Systems

#### How it Works:

1. Start the text editor and open the help file (F2).
2. Now open the help file for the Keyboard.
3. Press down the Alt and [ keys together.

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PEOPLE ARE TALKING  
compiled by Joe Mirando  
[joe@atarinews.org](mailto:joe@atarinews.org)

Hidi ho friends and neighbors. Well, Thanksgiving is over and I've got lots of turkey left over. I love turkey.

One of the things I don't love, however, is pinching a nerve in my back while hoisting a 20 lb turkey into the oven. That kind of put a damper on the holiday, but it could always be worse, I guess.

I realize that Thanksgiving is an American holiday and that many of you could care less about a national holiday that isn't your own, but that's okay. I'm sure that you've got one or two holidays that I don't celebrate.

That's one of the things that makes life interesting. If we were all the same, life would be pretty boring. I hate saying that my wife and I are an example of ANYTHING, but I'm going to throw caution to the wind here and point out that we are a good example of people who are very different

complementing each other's strengths. Of course, there's a modicum of understanding and respect that should be observed too. And THAT is where we tend to be found lacking... people in general, not my wife and I.  
<grin>

As I write this, Dana is probably having fits wondering where my column is. The excuse "my dog ate it" is wearing pretty thin... especially since I don't have a dog.

Anyway, as I sit here feeling my back twist up of its own accord (yeah, even through the painkillers I can feel it), I STILL think that I've got it pretty good. I'm blessed with friends and family, a decent "day job", and a plethora of interests to keep me busy and out of trouble.

I don't know what more I could ask for. Money? Nah, I'd just waste it. Power? No. With power comes responsibility. OH! I know! MORE TURKEY!!  
<grin>

Well, let's get on with the news, hints, tips, and info from the UseNet:

From the comp.sys.atari.st NewsGroup  
=====

Jean Luc Ceccoli asks about networking his Falcon and TT:

"I tried connecting a Falcon to a TT via the LAN port using an Apple cable and Duet, but I couldn't make it work .

Did someone ever manage to have any result using such a cable ?  
Please, help me!"

Robert Schaffner tells Jean Luc:

"'LAN' on an Atari suggest it was an ethernet port. It's simple and not ready to use AppleTalk port without support and software like AppleTalk.

LANPort on Falcon and TT are not more as an RS422 serial port.  
You should try an null modem, not an mac printer/modem cable.

Article 12.6.1 of DOITF030 contain the pinout of the port and an null modem."

Steve Marshall asks:

"Can anyone tell me a source of 3.5" DD floppy drives - i.e. 720K not 1.44 Mb."

Michael Schuelke tells Steve:

"Where are you? In Germany, try OfficeXL ([www.officexl.de](http://www.officexl.de)) -- they sell new Emtec (formerly BASF) DD disks. "

Hallvard Tangeraas tells Steve:

"Actually you don't need to spend lots of time and money searching for a replacement 720K drive when HD drives work just fine (with minor modifications). I've installed several standard PC type 1.44MB drives in Atari STs and they've worked fine as 720K drives.

I've even documented what to modify regarding Sony drives. I haven't

tried other brands, but I'm sure they would work fine as well, though I don't want to guarantee anything.

You can download the documentation from:

`ftp://gem.win.co.nz/hall/hardware/sony_144.zip` "

Steve tells Hallvard:

"Thanks. This isn't for the ST though. I have heard here that some have had problems with HD drives (?)"

Maybe it is the cheaper disks that are causing problems - maybe it is the way they are formatted. I have tried several HD drives though and it is just unreliable."

Hallvard replies:

"Huh? Haven't heard about that. Are you sure you're not confusing it with HD floppy disks?"

HD floppies are indeed not suited for DD use because of the differences in the magnetic layer. In other words, it's not just the outer shell of the disks which are different (an extra detection hole for HD disks, which some people cover up with tape to fool the drive into thinking it's a DD disk)."

Steve tells Hallvard:

"Hmm... maybe. I think I've tried DD disks with the HD drives and had problems again though."

I guess I'll need to find the time to go through all the permutations.

Well these disks are formatted in 256 bytes a sector instead of the usual double that. There are 80 or 81 tracks - I just wondered if this somehow might have a difference. But yes, DD formatting of a HD disk.

Perhaps it is just the disks."

Jo Even Skarstein adds:

"The problem is that HD floppies are designed for the much weaker magnetic field used in "HD-mode". Writing to HD floppies in DD-mode will very likely destroy data on them."

'Yvo' asks about HD booting on his Falcon:

"I have a Falcon030, but I haven't used it for a few years."

For some reason I can not find how to install the HD (Quantum 120MB) and boot from that drive. Can someone help me out?"

John Garone tells Yvo:

"If you are using ICD to boot then HDUTIL.PRG sets the boot drive."

Brian Roland asks an interesting question about his hard drive:

"On my Falcon the C partition frequently reports a "Path Overflow" error."

Hard disk scans report no errors. What does path overflow mean?  
How do I track it down and get rid of it?"

Jean Luc Ceccoli tells Brian:

- "1- put a little utility called FOLDRxxx.PRG in your AUTO folder,  
and replace xxx with a value of, say, 300 to 500, depending to  
the amount of memory you have. There are some other utilities  
which work the same way ;
- 2- set the appropriate option in your hard-disk driver - HDDriver  
has it, so does Hushi, probably ICD too, and maybe CBHD as well.

All this corrects a bug in TOS that limits the simultaneously opened  
folders to 30 - if I remember correctly."

Ken Kosut asks about Audio on the Falcon:

"A long while back I asked the newsgroup how to record Audio.  
(I have not done the Audio Modifications on my Falcon.)  
Someone suggested that I pick up a SPDIF interface (Soundpool) and  
record directly into a Dat Recorder. Thus bypassing the Audio Mods.

I don't have a Dat Recorder. I only have a Tascam Stereo Casette  
This doesn't have any optical or Coaxil. Only RCA.

Ideally, I would like to record from my mixer (1/4" jacks)  
into the Falcon.

The outputs of the mixer to the input of the Tascam might be  
too strong.

But if I could do this,

Would I be able to record using a Line Audio product  
like FAD 2/2.?

(I looked all over, but was unable to find pictures of line audio  
devices - Only the front panel of Jam Pro in/out)

It seems that all line audio products also require a SPDIF interface  
in order to work with Logic Audio.

("Works with Cubase Audio, Notator Logic Audio (needs a spdif interface),  
Zero X, The Audio Tracker, Quincy, Stodio Son, to name a few...)

Why is this?

Wouldn't I be better off to try a stand alone D/A or A/D Converter.  
Mixer Outs (analog) to converter in (analog) - SPDIF out to  
SPDIF soundpool device?"

Janka Gerhard tells Ken:

"For years now I'm using a Line Audio JamIn A/D Converter to feed the  
output of my mixer into the Falcon to process it with AudioMaster.  
Not the slightest need for SPDIF.

Only thing I would need would be someone who swaps my Soundpool M04  
for an equivalent Line Audio D/A device since the plugs and cables  
of the soundpool products don't match the ones of the Line Audio  
equipment and when I use AudioTracker I have to feed music back  
from the Falcon to the mixer at the same time as recording the  
additional track."

Stephen Moss asks about Wensuite:

"Does anyone have a working Freeserve script for wensuite V3.3?. I can log on ok with V2.0 as it has an option for setting the authentication (account login and password) to use text format in the PPP Link set up. Connecting with V3.3 using either the Auto or None script options results in the connection being terminated presumably be the provider upon non receipt of an authentic login/password. Having read the instructions it would appear that the only method of achieving text authentication under version 3.3 is to select the manual script option and create your own script. I must admit that I did not fully understand this information and so just copied the script shown in the documentation, now as opposed to terminating the connection it just sits there doing nothing which according to the documentation is probably due to an incorrect script."

Derryck Croker tells Stephen:

"I suggest that you use a terminal program such as Connect to connect to your ISP, and then interact with the prompts until you have a connection.

WenSuite uses a wait for/respond sequence in its script editor, so that should be easy to sort out, not sure if it needs a CR at the end of each response.

You might need to enter a string like "PPP" or "PPP default" at some point, possibly. Or have I missed the point?"

Stephen tells Derryck:

"Sounds like a good route to take. Thanks."

Kenneth Medin does some experimenting with ethernet on his TT and posts:

"I have made some further tests with The EtherNEC Ethernet package to make it run with my TT. I now runs 100% OK on my main TT with Magic 6.20 & Jinnee.

There must be some rather narrow time-windows inside the driver software as it is very sensitive to its environment.

To make it run on my main TT I had to skip the idea of using ENEC3.STX at all.

The other ENEC.STX that is intended for 68000 ST's on the other hand can be made working perfectly stable under Magic here if it is setup to load and run from TT RAM and is the last physical driver inside the STING folder.

With TOS 3.6 it's the other way round, ENEC3.STX works but ENEC.STX don't! If I try to disable the cache it will not work at all.

On another TT I got it running fairly well with Magic and ENEC3.STX but not at all using ENEC.STX, neither with TOS or Magic!

To me it seems there is some delicate timing that the driver can't handle properly when used on a TT. Maybe the driver could be programmed to find the correct timing on startup by sending dummy packets with different timing to find the center of this time-window?

Anyway I'm satisfied with transfer speeds as I can now use all the bandwidth of my 512 kbit ADSL line. Locally I get c:a 1 Mbit out from this



TT and 600 kbit when downloading using ftp\_serv.app under STinG.

I've dropped MagicNet for now as the STinG setup is OK.

The docs mention there is risk for buffer overflow with a too big tcp receive window. I lowered mine to 4380 first but have been using my "normal" 11680 now again quite a lot without side effects. Ideally you actually need an even bigger receive window at 512 kbit to get full transfer speeds over long distances but 11680 will do for now..."

'Ozk' asks Kenneth:

"Did you make further tests with my version of the NE2K driver for EtherNEC? When you first tested it, did you use use 'ne0' instead of 'en0'?"

Kenneth replies:

"I first had it wrong and it did not work off course. I have never tried MagicNet before but was able to Ping localhost so I guess the rest of the setup was OK.

I then tried with the correct interface name but had to reinstall MagicNet. This time nothing worked. I may have got the setup wrong the second time but I had very little time to analyze. I will do some further tests, maybe today.

I normally need some routing capabilities on this TT as there are some subnets attached to the serial ports. I also must be able to "dial out" to my WinCE computer and I'm not certain MagicNet can handle that.

OK I have now done quite a few further tests...

Your (ozk@atari-RULES.org) driver does not seem to work at all with MagicNet here. I get a total lookup and if I let MagicNet autostart from the Magic START folder I'm very happy there is a TOS in ROM to resort to to fix things. Without that I would have had to Format c: and reinstall the OS from scratch like the big Win guys always do... :-)

I guess this is really not so bad news as your driver is really for MintNet.

When testing the Redelberger ENEC.MIF MagicNet driver I now got it working perfectly on this TT! Right now I'm even running STinG and MagicNet at the same time. I have another TT with the parallel to Ethernet adaptor connected to my main switch.

I can Ping out via MagicNet and the EtherNec adaptor on this TT (192.168.0.130) via the switch (192.168.0.1) to the other TT running STinG Ethernet (192.168.0.129) and routing further out via Modem2 (192.168.0.193) back to this TT's Modem2 (192.168.0.194) and STinG gets the message. Really cool!

Also tried the Redelberger ENEC3.MIF that is optimized for 68030 and it does not work at all!

Also played the opposite way with STinG using the EtherNec on this TT which also works fine. Then I setup MagicNet to only use Modem2 and that also worked. But an interesting thing happened:

I simply can't Ping the 192.168.0.192 subnet from this TT (192.168.0.194) under STinG. I have put in a proper extra route with 192.168.129 as gateway to this subnet but no luck. The ROUTE.TAB looks like this:

192.168.0.192	255.255.255.192	EtherNet	192.168.0.129
0.0.0.0	0.0.0.0	EtherNet	192.168.0.1

To me this is OK. I also have similar entries in my pc's and NAT-box and they have no difficulties to reach my subnets.

Another thing that puzzles me:

Normally I have subnets in in two levels to reach other computers via SLIP so this TT also has the ROUTE.TAB entries (without Ethernet):

192.168.0.200	255.255.255.248	Midi	0.0.0.0
192.168.0.208	255.255.255.248	Serial 1	0.0.0.0
192.168.0.216	255.255.255.248	Modem 1	0.0.0.0
192.168.0.224	255.255.255.248	Ser.2/LAN	0.0.0.0
0.0.0.0	0.0.0.0	Modem 2	0.0.0.0

In MagicNet I have put in the line:

```
route add 192.168.0.194 en0 gw 192.168.0.129
```

That takes the packets to the first 192.168.0.192 subnet. But as I can't(?) put in a netmask here the other computers on the second level subnets can't be reached. Off course I could add a line for each computer but this is not the "right" way do do things.

Is there a way in the MagicNet MAGX\_RC.NET to add a route similar to:

192.168.0.192	255.255.255.192	EtherNet	192.168.0.129
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like it should be (but does not work?) in STinG.

I guess I really should phone Ronald Andersson about this too as there must be something wrong in the STinG routing when Ethernet arp tables come into play..."

Well folks, that's it for this week. I'm going to go have myself a nice turkey sandwich and nurse my pinched nerve. Have yourself a good week and, until next time, listen to what they are saying when...

PEOPLE ARE TALKING

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->In This Week's Gaming Section - Easier Mac Game Porting!

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->A-ONE's Game Console Industry News - The Latest Gaming News!

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### New Collaboration Promises Easier Mac Game Porting

MacDX maker Coderus Ltd and PortAsm/86 maker MicroAPL Ltd have announced a collaboration that the two companies hope will make it easier for PC developers to bring their games to the Macintosh. While this doesn't mean that PC game developers can just click a button and expect their game to work on the Macintosh, it is a significant step closer for developers who want to make the effort.

Microsoft's own DirectX Application Programming Interface (API) is ubiquitous in game development on Windows and the Xbox game console. The technology provides Windows game makers with a common library of commands supplied by Microsoft that they can use to render 3D graphics, embed networking capabilities, audio and other components of their games.

Coderus' MacDX provides PC game developers with a way of moving that DirectX code to the Macintosh without having to rewrite it from scratch -- Coderus claims that most code which uses DirectX can simply be recompiled and linked to the MacDX libraries.

The underlying concept of MacDX isn't new. In fact, porting companies who specialize in Mac game conversion work by and large use their own homegrown equivalents to MacDX to get the process started. What makes Coderus' approach unique is that they license MacDX for use by other developers rather than using it exclusively themselves. And Coderus stays in practice with MacDX by working with UK-based game publisher Virtual Programming Ltd to bring PC games to the Macintosh as well.

This new collaboration with MicroAPL Ltd offers an easier way for PC developers to bring Intel-specific assembler code to the Macintosh. MicroAPL's PortAsm/86 automatically translates that PC assembler source into native code that makes sense to the PowerPC chips inside of Macs. Without PortAsm/86, such code would have to be completely rewritten for the Mac -- an arduous task at best, according to Coderus Ltd's CEO and technical director, Mark Thomas.

"Since we released MacDX, porting of titles has become a lot easier, but there are always problematic areas which can delay a project. One such area is optimized assembly function calls. Presently most developers have to rewrite these functions by hand, which can be complex and time consuming," said Thomas.

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## Tech Firms Draft Guidelines for Web Tracking Tool

Internet users could have a better idea of how they are tracked online under a set of voluntary guidelines issued by an industry group on Monday.

The guidelines are the first to specifically address invisible tracking devices called "Web bugs" that can be used to monitor traffic on a Web site, collect names for "spamming" campaigns, or allow advertising agencies to build up a detailed profile of a computer user's habits.

Marketers say the invisible, pixel-sized devices allow them to tailor the online environment to better meet customers' needs, but Web bugs have long raised the hackles of privacy advocates who say they allow marketers to profile users without their knowledge.

Developed by privacy consultants, the U.S. Postal Service and high-tech players like DoubleClick Inc. and Microsoft Corp., the guidelines require that companies reveal when they use Web bugs, what sort of information they collect, and how the information is used.

Companies would have to obtain user permission before transferring any personal data -- such as e-mail addresses and telephone numbers -- to an outside party.

Because they only take the form of guidelines, compliance would not be mandatory. But companies seeking the seal of approval from privacy compliance groups like TRUSTe will be required to abide by them.

The move should help dispel consumer unease over a technology that is mostly used for innocuous purposes like counting hits on a Web site, said Trevor Hughes, executive director of the Network Advertising Initiative, which helped draft the guidelines.

"There was a significant amount of confusion and mistrust of the technology," Hughes said. "So we said, 'Let's describe it and define it and let it see the light of day.'"

Privacy expert Richard M. Smith, who has studied Web bugs for years, said the guidelines were a positive step, but could still result in confusion if companies chose to couch their notices in a thicket of legal jargon.

"Notice is a tricky thing. You could just bury it in a privacy policy and nobody's going to read it," he said.

The guidelines are unlikely to end all abuses as spammers, which use the technology to amass lists of "live" e-mail addresses, are unlikely to abide by them, he said.

But the use of Web bugs in e-mail will likely decline as Microsoft is set to announce a new version of its popular Outlook e-mail reader that allows users to block them, Smith said.

An official at the Federal Trade Commission said the guidelines were useful as well.

"We're not concerned about the technology, but the misuse of information that's collected through the technology," said Brad Blower, an assistant

director in the FTC's consumer-protection division.

### Feds Fail to Pass Child Porn Laws

Despite efforts by senior members of both the House and Senate to crack down on Internet child pornography, two proposed bills failed to become law this year.

This failure is largely due to disputes over the definition of virtual child pornography, which both bills targeted. Virtual child porn is made with morphed computer images and without real children.

"The proliferation of virtual pornography has enabled child pornographers to escape conviction by arguing that it is so difficult to distinguish the virtual child from the real one," says Anne Coughlin, a law professor at the University of Virginia School of Law.

Both bills were in response to a Supreme Court ruling that declared unconstitutional the Child Pornography Prevention Act of 1996, which made it a crime to spread "virtual" child pornography on the Internet. The court said the law's definition of virtual child porn was too broad.

Since the Supreme Court struck down the law, lawmakers have attempted to pass a substitute, but the challenge was writing a new law that would not violate First Amendment free speech rights.

Some members of Congress proposed a Constitutional amendment to prohibit child pornography, even if the pictures were computer-generated, but civil liberties groups quickly shot down the idea and the proposal was dropped.

Representative Lamar Smith (R-Texas) proposed a bill in the House that "reaffirms the ban on child pornography in a manner that can withstand constitutional review," he said. The House passed the bill unanimously last June and Smith urged the Senate to act.

Senators Orrin Hatch (R-Utah) and Patrick Leahy (D-Vermont) introduced a second bill aimed at narrowing "the definition of virtual child porn by requiring consideration of the artistic, literary, or educational value of the work as a whole," Leahy said.

The Senate bill was "carefully tailored with an eye towards satisfying the precise concerns identified by the Supreme Court," Coughlin wrote in a letter to Leahy. The Senate passed the bill by unanimous consent during the post-election session in November.

But because the two bills were different, they did not become law; they had to be identical in order to receive the president's signature.

The key difference was the way in which they defined virtual child porn. The House version offered a narrow definition, saying it must be "computer-generated images" that are "indistinguishable" from actual child porn. The Senate's definition was not as narrow, but it did include some elements of the obscenity test that make it more difficult for prosecutors to prove guilt. The House version rejected suggestions to include an obscenity test.

The differences were not resolved before the end of the congressional

session.

"The House of Representatives' Republican leadership decided to adjourn without either taking up the Hatch-Leahy bill or working with us to resolve any differences," said Leahy.

A spokesperson from the House Majority leader's office said the differences in the Senate version were "unacceptable," killing the bill for this year.

The House and Senate plan to work on a compromise and introduce new legislation when they return in January.

#### Massachusetts Appeals Microsoft Case Alone

Massachusetts on Friday appealed the settlement in the Microsoft Corp. antitrust case, splitting from a group of nine states that had been seeking tougher sanctions against the software giant.

Seven of those nine states will now help enforce the court-ordered remedies, but Massachusetts continues to believe the settlement is insufficient to deter Microsoft's abuse of its monopoly in personal computer operating systems.

"We are prepared to go our own way," Massachusetts Attorney General Tom Reilly told a news conference. "There was nothing in the deal that would change Microsoft's business practices in any substantial way."

California, Connecticut and Iowa said they -- as well as Florida, Kansas, Minnesota and Utah plus the District of Columbia -- would not appeal the settlement.

Instead, these seven states and the District of Columbia will focus on ensuring that Microsoft complies with the Nov. 1 ruling by U.S. District Judge Colleen Kollar-Kotelly.

West Virginia is the remaining state in the group of nine that thought the pact negotiated by the U.S. Justice Department was too weak. It expects to announce its decision on Monday.

Connecticut Attorney General Richard Blumenthal said Microsoft had agreed to pay \$28.6 million to the states -- about \$25 million to cover legal costs and fees plus \$3.6 million for future enforcement and compliance.

"Consumer interests are now best served by turning our focus to enforcement," Blumenthal said in a statement.

California Attorney General Bill Lockyer also emphasized enforcing Kollar-Kotelly's decision.

"While not completely satisfying, the court decree closed enforcement loopholes, keeps compliance with the remedies squarely before the court and allows us now to turn attention to making sure that Microsoft competes fairly in the marketplace," he said.

Massachusetts' appeal to the U.S. Court of Appeals for the District of Columbia will drag out the already 4-1/2-year-old case. But Reilly said there were important principles at stake.

"The (settlement) deal ignored Microsoft's ill-gotten gains, did nothing about safeguarding competition in new technologies, and was filled with loopholes and exceptions," he said. "We believe that a remedy must send a message that breaking the law does not pay."

But some legal scholars say Massachusetts faces an uphill fight in trying to convince the appellate judges that Kollar-Kotelly erred in her decision.

"If I were making the call for Massachusetts, I would say: 'We've fought the good fight, now let's move on to other problems'," said Southwestern University law professor Lawrence Sullivan, who advised the federal government in bringing the suit against Microsoft.

Microsoft spokesman Jim Desler said the company remained focused on complying fully with Kollar-Kotelly's judgment.

The appeals court ruled in June 2001 that Microsoft had illegally maintained its Windows operating system monopoly, but rejected a trial court proposal to break the company in two.

The case was then transferred to Kollar-Kotelly to determine the appropriate remedies in the case. She heard 32 days of testimony to determine what sanctions should be imposed on Microsoft.

During the remedy hearings, the attorneys for the states argued unsuccessfully that the antitrust sanctions should be designed to stop the company from using Windows to crush competition in the markets for emerging technologies such as server software and handheld computers.

But in her Nov. 1 ruling, Kollar-Kotelly rejected nearly all the demands for stronger sanctions.

The settlement gives computer makers greater freedom to feature rival software on their machines by allowing them to hide some Microsoft icons on the Windows desktop.

Under the settlement, Microsoft is prohibited from retaliating -- or threatening to retaliate -- against computer makers who choose to feature non-Microsoft products. Nor can it enter into agreements that require the exclusive support of some Microsoft software.

The company still faces a series of class-action lawsuits brought on behalf of U.S. consumers, along with civil suits brought by Sun Microsystems Inc. and other competitors who claim they were victimized by the company's anticompetitive tactics.

The world's largest software company is also awaiting the findings of an antitrust probe by the European Commission.

#### Court to Decide on Online Copyright Suit

A federal judge has signaled his support for a bid by record companies and movie studios to sue the parent company of Kazaa, a popular online file-swapping service.

U.S. District Judge Stephen Wilson heard arguments Monday on whether

Sharman Networks Ltd., which is headquartered in Australia and incorporated in the Pacific Island nation of Vanuatu, is subject to U.S. copyright laws.

"It is a difficult question, but it has to be resolved," Wilson said. "The court will do its best to resolve it promptly."

Although Wilson did not indicate when he plans to issue a ruling, he appeared to tip his hand, noting that he "would be inclined to find there's jurisdiction against Sharman."

"I find the argument about providing the service to so many California residents compelling," Wilson said, referring to the plaintiffs' claims that Kazaa provides free access to copyrighted music and films to some 21 million users in the United States. The company has advertising revenue of about \$4 million.

The Sharman case is one of the largest in the recent copyright wars testing the international reach of U.S. courts. If Wilson decides Sharman can be sued, the company would be thrust into the same legal predicament that has stymied popular swapping services such as Napster and Aimster.

David Casselman, an attorney representing Sharman, said holding the online swapping company liable for copyright violations would be akin to prosecuting a computer manufacturer for the actions of computer hackers.

David Kendall, an attorney representing six movie studios, including Disney, Fox and Paramount, said the fact that Sharman's product is available in this country is sufficient cause to face trial in a U.S. court.

"It does not violate due process to have them stand here to answer for their conduct," Kendall said.

Sharman attorney Rod Dorman countered that such a move could open a door for a judge in "communist China" to rule against U.S. companies that operate online. The judge did not appear swayed by the argument.

"I'll take my chances with that judge in communist China," Wilson quipped.

Carey Ramos, an attorney representing song writers and music publishers, said the judge's comments would send a message to those companies seeking to operate offshore.

"This is important because it shows that you cannot escape U.S. justice by setting up shop outside the United States," Ramos said.

#### Judge: Rights Web-Posting Student Violated

A federal judge has ruled that a school district violated a student's rights to free speech and due process when it suspended him for posting "intimidation and threats" on the Internet.

The Waterford School District should not have suspended the student in August 2001 for contributing to "Satan's Web page," U.S. District Judge Patrick Duggan ruled this week.

School officials were concerned by content that included a passage labeled



"Satan's mission for you this week." It read: "Stab someone for no reason then set them on fire throw them off of a cliff, watch them suffer and with their last breath, just before everything goes black, spit on their face."

The student, who was not identified, was suspended after a hearing in which he wasn't allowed to cross-examine witnesses and could not be represented by an attorney, said his lawyer, Richard Landau.

The student sued the district, seeking damages of up to \$75,000. He has since graduated from a school in a neighboring district.

School representatives and the attorney representing the district did not return phone calls seeking comment Wednesday.

#### L.A. Woman Gets Prison in Counterfeit Software Ring

A Los Angeles woman was sentenced on Friday to nine years in prison and ordered to pay \$11 million in restitution for her role in one of the largest counterfeit software cases in U.S. history.

The sentence imposed on 52-year-old Lisa Chen by Superior Court Judge Ronni MacLaren was the longest prison term for a first-time conviction on software piracy, prosecutors said.

"I'm pleased that such a significant loss has been appropriately punished," Deputy District Attorney Jonathan Fairtlough said. "This sentence sends a message that law enforcement will vigorously investigate and prosecute thefts of intellectual property."

Chen was one of four people arrested in November of 2001 as part of a ring that prosecutors said imported nearly \$98 million in counterfeit computer products and software from Asia, including knockoffs of Microsoft Corp.'s Windows XP, Windows 2000 NT and Microsoft Office 2000 Pro software, along with manuals, user license agreements and other materials.

The ring was broken up after an 18-month investigation.

Pat Mueller, a senior investigator for Microsoft, told reporters that Chen was a "key player" in the ring, which was bringing high-quality counterfeit products into the country.

"It is very difficult to come up with a counterfeit product that is as good as we saw here," Mueller said.

#### Anti-Piracy Group Orders Net Downloaders to Pay Up

In a unique crackdown on illegal file-sharing, a Danish anti-piracy group mailed invoices to alleged pirates demanding compensation for downloading copyrighted materials off the Internet, an attorney for the group said on Tuesday.

The Danish Anti Piracy Group (APG) identified 150 alleged pirates asking them to pay a combined \$133,600, said Morten Lindegaard, an attorney for the group. The biggest offenders face a bill of \$13,360.

"We are demanding full payment for the use of these copyrighted materials," Lindegaard said. The APG has worked with the Danish branch of music trade body International Federation of the Phonographic Industry, to crack down on online piracy. The decision to seek compensation for downloads opens up a controversial new front in copyright holders' ongoing campaign to curb consumer piracy on the Internet, a phenomenon blamed for a decline in CD sales and upswing in the free trade of video games, computer software and video games.

The tactic is drawing protests from some technical and legal experts who insist that without the violators' computer it's impossible to prove the existence of copyright violations. Others question the size of the bills.

"In this case, we're talking about compensation for the damage the Anti Piracy Group claims its members have suffered. It's the courts that decide the amount of compensation to be paid due to copyright infringement, not the victim." said Martin von Haller Groenbaek, a Danish attorney specialising in IT law.

In each case, the Danish users were accused of downloading copyrighted materials from file-sharing networks Kazaa and eDonkey, two popular so-called peer-to-peer (P2P) networks in Denmark, Lindegaard said.

Lindegaard, 29, and his helpers -- four Danish university students -- developed a software program that monitored Danish file swappers on the two P2P networks, honing down to the users' Internet Protocol, or IP, address to confirm they were logged on from Denmark.

The program also traced the files shared and the time at which they were downloaded. After reviewing the evidence, a judge ordered the users' Internet service providers to pass on the violators' billing addresses.

In each case, the alleged pirate first learned they were being investigated when they received a bill in the post, which began arriving late last week.

A spokesman for the Danish Consumer Council said they received roughly 50 complaints from the fined individuals. After an initial investigation, the council determined the APG complied with local data protection laws, the spokesman added.

Lindegaard said the accused range from high school students to professionals. They downloaded materials ranging from Eminem songs to the latest Star Wars film to the video game, "Grand Theft Auto."

"The top 10 computer games, music and movies -- it's all there," said Lindegaard.

The alleged pirates were billed based on the amount of files they shared. For a single music file, they were charged \$2.67; \$26.70 for a movie and approximately \$50 for a video game, Lindegaard said. But technical experts threw into question the fairness of the bill, pointing to the fact that copyrighted material from time to time is distributed for free across the Internet in a legitimate manner.

For example, major record labels allow users to download select songs from new album releases off the Web. The tracks typically expire after a period, but in some cases the deactivated track may still appear on a users' hard drive.

Also, the labels, movie studios and video game makers have increasingly distributed bogus files on P2P networks that resemble the genuine article, down to file size and title, to frustrate would-be downloaders.

"How do you know each of these copyrighted materials is illegal? That's the big issue here," said Urs Gattiker, a professor of technology and innovation management at Aalborg University in Denmark.

### Digital Copyright Trial Set to Start

A federal judge has ruled that the trial of a Russian software company will proceed as scheduled next week, if the defendant and the government's key witness are allowed to enter the country in time.

U.S. District Judge Ronald M. Whyte was told during a pretrial hearing Monday that the Immigration and Naturalization Service has approved special visas for Alex Katalov, the CEO of Elcomsoft Co. Ltd., a Moscow-based software company, and Dmitry Sklyarov, one of the company's programmers.

Elcomsoft is the first company charged with criminal violation of the 1998 Digital Millennium Copyright Act for producing and selling a program that permits users to manipulate digitally formatted reading material produced by San Jose-based Adobe Systems Inc., the maker of the popular Photoshop and Illustrator software.

Elcomsoft is accused of providing the means to "crack" Adobe's eBook reader that allows publishers to sell books online in a format that prevents copying or transferring content between users.

Sklyarov, who developed the algorithm upon which the Elcomsoft program is based, originally was charged along with his employer. But federal prosecutors agreed to drop charges against him once the case is completed.

Sklyarov, who was arrested after speaking to a hackers convention in Las Vegas in July 2001, is expected to be one of the government's key witnesses.

The trial was postponed last month after the State Department had refused to issue visas to Katalov and Sklyarov.

### Bush Signs Bill to Boost Cyber Security

President Bush on Wednesday signed a bill authorizing \$900 million in grants to spur federal agencies, industry and universities to devote more energy to cyber security research.

The five-year program would require the National Science Foundation and the National Institute of Standards and Technology to bring industry and academic experts together to fund new research and to help attract top researchers to the field. It also would encourage efforts to recruit new students into cyber security programs.

Senate proponents of the legislation were Sens. Ron Wyden, D-Ore., and George Allen, R-Va.

## New E-Mail Worm Causing Severe Damage

A new e-mail worm is circulating that has the potential to severely damage machines that it infects, potentially deleting all the files on a computer's hard drive while mocking the machine's owner, according to advisories released by a number of antivirus software makers.

The new worm is called Winevar and was first spotted in South Korea. Its release was possibly intended to coincide with the AntiVirus Asia Researchers conference, which was held in Seoul, South Korea, last week, according to an advisory released by Helsinki-based security company F-Secure.

E-mail messages containing the worm may contain the subject "Re: AVAR (Association of Anti-Virus Asia Researchers," according to F-Secure.

The worm is also known by other names, for example: W32/Winevar.A, W32/Korvar, W32/Winevar@mm, I-Worm.Winevar, and the "Korean Worm."

According to advisories, the worm appears to be a variant of the recent Bridex or "Braid" worm.

Like that worm, Winevar takes advantage of the known IFRAME vulnerability in Microsoft's Internet Explorer Web browser and Microsoft mail clients such as Outlook and Outlook Express. That vulnerability allows attachments in HTML-format e-mail messages to be opened without user interaction.

Also like Bridex, Winevar deposits a variant of the Funlove virus on infected machines once it is run and attempts to shut down processes used by antivirus software. According to an advisory by Moscow-based Kaspersky Labs, there are signs that the worm may also be programmed to conduct a denial of service attack against antivirus software maker Symantec's Web site.

Winevar spreads itself by searching out e-mail files and extracting addresses from them. The worm then uses Simple Mail Transport Protocol to e-mail copies of itself to those addresses, using random series of numbers to disguise the name of the attachment containing the worm, further complicating the task of identifying infected e-mail messages.

Whereas Bridex simply gathered information on the systems it infects, however, Winevar can cause real damage to machines.

Once infected machines are rebooted, the worm displays a dialogue titled "Make a fool of oneself" with the message "What a foolish thing you have done!" Clicking on an OK button on the dialogue deletes all files on the computer's hard drive that are not currently opened, according to the security advisories.

Winevar is known to have infected machines, according to Kaspersky Labs.

Most leading antivirus companies have posted updated definitions for the new worm and instructions on removing the worm from infected machines. Users who suspect they are infected are advised not to restart their machine before removing the worm's files.

In addition, Microsoft has issued a patch covering the IFrame vulnerability exploited by Winevar on its Web site, and also has posted a security bulletin about an ActiveX vulnerability used by Winevar.

#### News Flash: 2002 Stunk

It is the worst of times for IT, say IDC analysts who now dub 2002 the worst year in the history of the industry. The \$875 billion IT industry suffered its largest decline ever this year, with a growth rate of negative 2.3%, the analysts say.

The industry shrank about 3% in the past two years, compared with an average annual growth rate of 12% for the past 20 years, IDC says. But it predicts the growth rate next year to be 5.8%.

Significant changes in the economic or geopolitical environment, such as prolonged war in Iraq or a stock market plunge, could result in lower growth rates for IT spending, leading IDC to produce an alternate, more pessimistic forecast of 2% growth in IT spending next year, the analysts say.

Under more favorable assumptions, IT spending in the United States would grow 4.4% next year, led by renewed demand for servers, security, and network equipment, IDC says.

The worldwide systems market, including PCs, servers, and workstations, declined 9.3% this year, the analysts say. Storage shrank by 10.6% and is not expected to recover to its 2001 size until after 2006. The network equipment market experienced a 7.6% decline, driven by sales to telecom service providers.

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